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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,063	06/24/2004	Kevin Karl Waddell	25791.68.05	5576
62519	7590	07/21/2006	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET SUITE 3100 DALLAS, TX 75202-3789			COLLINS, GIOVANNA M	
			ART UNIT	PAPER NUMBER
			3672	

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/500,063	Applicant(s) WADDELL ET AL.	
	Examiner Giovanna M. Collins	Art Unit 3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20051014, 20041027, 20030317</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,3,5, and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gano et al. 6,065,543.

Referring to claim 1, Gano discloses (fig. 1) an apparatus comprising a subterranean formation (66) defining a well, a casing (32) positioned within and coupled to the wellbore; a first tubular liner (28) within the wellbore overlapping with and coupled to the casing, a second tubular (36) overlapping with and coupled to the first tubular where the first tubular is coupled by machining an end (at 34) of the first tubular and inserting an end of the second tubular into the machined end of the first tubular.

Referring to claim 3, Gano discloses a method from extracting fluidic material comprising coupling an end of a tubular liner (28) to an end of a wellbore casing (32); machining an end of the tubular liner (at 34) inserting an end of another tubular liner (36) into the machined end of the tubular liner and sealing the interface between the other tubular liner (at 62) and the casing.

Referring to claim 5, Gano discloses a system for extracting fluidic materials comprising means (at 32) for coupling an end of a tubular liner to the end of a casing, means (at 34) for machining an end of the tubular liner; means (at 34) for inserting an end of another tubular liner (36) into the machined end of the tubular liner and means (at 62) for sealing the interface between the other tubular liner and the wellbore casing.

Referring to claim 7, Gano discloses a method of conveying fluid material to and from a tubular liner comprising machining the end of the tubular liner (at 34); inserting and supporting an end of another tubular (36) in the machined end of the tubular liner and conveying fluidic material to and from the tubular liner using the other tubular liner (through the inside bore of the liners).

Referring to claim 8, as best understood by the examiner, Gano discloses the other end (at element 28 if referring to lower tubular or at element 36 if referring to upper tubular) of the tubular liner (28 or 36) extends through the wellbore casing.

Referring to claim 9, as best understood by the examiner, Gano disclose fluidically sealing the interface between the other end of the tubular liner and the casing (at 62 or 32).

3. Claims 1,3,5, and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Themig 4,942,925.

Referring to claim 1, Themig discloses (fig.2) an apparatus comprising a subterranean formation (13) defining a well, a casing (16) positioned within and coupled to the wellbore; a first tubular liner (25) within the wellbore overlapping with and

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coupled to the casing, a second tubular (32) overlapping with and coupled to the first tubular where the first tubular is coupled by machining an end (at 23) of the first tubular and inserting an end of the second tubular into the machined end of the first tubular.

Referring to claim 3, Themig discloses a method from extracting fluidic material comprising coupling an end of a tubular liner (25) to an end of a wellbore casing (16); machining an end of the tubular liner (at 23) inserting an end of another tubular liner (32) into the machined end of the tubular liner and sealing the interface between the other tubular liner (at 34) and the casing.

Referring to claim 5, Themig discloses a system for extracting fluidic materials comprising means (at 21) for coupling an end of a tubular liner to the end of a casing, means (at 23) for machining an end of the tubular liner; means (at 31) for inserting an end of another tubular liner into the machined end of the tubular liner and means (at 37) for sealing the interface between the other tubular liner and the wellbore casing.

Referring to claim 7, Themig discloses a method of conveying fluid material to and from a tubular liner comprising machining the end of the tubular liner (at 31); inserting and supporting an end of another tubular (32) in the machined end of the tubular liner and conveying fluidic material to and from the tubular liner using the other tubular liner (through the inside bore of the liners).

Referring to claim 8, as best understood by the examiner, Themig discloses the other end (at 37) of the tubular liner (28 or 36) extends through the wellbore casing.

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Referring to claim 9, as best understood by the examiner, Themig discloses fluidicly sealing the interface between the other end of the tubular liner and the casing (at 37).

4. Claims 1 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Bussear 5,743,335.

Referring to claim 1, Bussear discloses (fig.1) an apparatus comprising a subterranean formation (B) defining a well, a casing (CS) positioned within and coupled to the wellbore; a first tubular liner (PTP) within the wellbore overlapping with and coupled to the casing, a second tubular (PT) overlapping with and coupled to the first tubular where the first tubular is coupled by machining an end of the first tubular (at UPBR) and inserting an end of the second tubular into the machined end of the first tubular.

Referring to claim 7, Bussear discloses a method of conveying fluid material to and from a tubular liner comprising machining (at UPBR) the end of the tubular liner (PTP); inserting and supporting an end of another tubular (PT) in the machined end of the tubular liner and conveying fluidic material to and from the tubular liner using the other tubular liner (through the inside bore of the liners).

Referring to claim 8, as best understood by the examiner, Bussear discloses the other end (at PTP) of the tubular liner extends through the wellbore casing.

Referring to claim 9, as best understood by the examiner, Bussear discloses fluidically sealing the interface between the other end of the tubular liner and the casing (at PP).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2,4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gano '543 in view of Maguire '539.

Referring to claims 2,4 and 6, Gano disclose a first liner is coupled to the casing but does not disclose the liner is radially expanded to the casing. Maguire teaches a means (see fig. 1, 123) for radially expanding a tubular and that radially expanding the tubular is a method of attaching the tubular to a casing (col. 1, lines 53-60) and eliminates the need for extra slip tools (col. 2, lines 24-27) when attaching tubulars to casings. As it would be advantageous to eliminate the amount of tools need to set a tubular liner, it would be obvious to one of ordinary skill in the art to modify the method and system disclosed by Gano to radially expanding the tubular in order to attach the tubular to a casing and have a means for radially expanding the tubular in view of the teachings of Maguire.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna M. Collins whose telephone number is 571-272-7027. The examiner can normally be reached on 6:30-3 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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gmc


David Bagnell
Supervisory Patent Examiner
Technology Center 3670